

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: April Danielle Wells : CASE NO.: 1:19-bk-01074-RNO  
Debtor. : CHAPTER 7

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April Danielle Wells, :  
Movant, :  
v. : 11 U.S.C. 722  
CarMax Auto Finance :  
12800 Tuckahoe Creek Parkway :  
Richmond VA 23238 :  
Respondent. :  
:

**MOTION FOR AUTHORITY TO REDEEM PERSONAL PROPERTY AND  
APPROVAL OF ATTORNEY'S FEES UNDER 11 U.S.C. § 722**

Now come (s) the Debtor (s) by and through counsel, and moves the court pursuant to 11 U.S.C. 722 and Bankruptcy Rule 6008 for a Redemption Order on the following grounds:

1. The item to be redeemed is tangible personal property intended primarily for personal, family or household use is more particularly described as follows:

Year: 2013  
Make: Hyundai  
Model: Sonata  
VIN # 5NPEC4AC6DH637576

2. The interest of the Debtor (s) in such property is exempt and the Trustee has filed a report of no distribution. To the extent formal abandonment is required, Debtor requests this Motion deem said property abandoned by the Chapter 7 Trustee.
3. The debt (which is secured by said property to the extent of the allowed secured claim of the creditor) is a dischargeable consumer debt.
4. The allowed secured claim of said Creditor for purposes of redemption, the "redemption value", should be determined to be not more than \$2,000.00 for the following reasons:

- a. The vehicle was appraised by CarMax to be valued at \$2,000;
- b. The vehicle has been in four accidents with the most recent accident on April 22, 2019;
- c. The vehicle is in need of major repair including the need for the following:
  - i) New sunroof (\$3000 cost);
  - ii) Front-end repair;

- d. The vehicle has extensive cosmetic damage which would reduce the value of the vehicle significantly on re-sale.
- 5. Arrangements have been made by the Debtor (s) to pay to the said Creditor up to the aforesaid amount in a lump sum should this motion be granted.
- 6. The payment for this proposed redemption will be from post-petition earnings.
- 7. Moreover, Debtor has agreed to pay the undersigned \$275/hr for representation related to the right to redeem under 11 U.S.C. § 722 a certain motor vehicle. Such compensation is additional to that previously disclosed and is for services rendered beyond the scope of the legal services that have been rendered for such compensation heretofore disclosed.

**WHEREFORE**, the Debtor (s) request (s) the Court to order the said Creditor to accept from the Debtor (s) the lump sum payment of the redemption value and release their lien of record. In the event the said Creditor objects to this motion, the Debtor (s) requests the Court to determine the value of the property as of the time of the hearing on such objection.

Date: May 22, 2019

Respectfully submitted,

/s/ Patrick J. Best  
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